

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Randolph J. Noelle

Appln. No.: 09/ 223,634

Series Code ↑

Serial No. ↑

Filed: December 13, 1998

Hon. Commissioner of Patents

Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Group A: 1644

Examiner: P. Gambel

Atty. Dkt. P 0275823

Client Ref

Appln. Title: Treatment of T Cell Mediated Autoimmune Disorders

JAN 02 2003

TECH CENTER 1600/2900

Date: December 27, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim A. <input type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input checked="" type="checkbox"/> made previously		For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm					
2. Total Effective Claims		9	**minus	20	0	x \$18/\$9 =	+ \$0	103/203						
3. Independent Claims		2	***minus	4	0	x \$84/\$42 =	+ \$0	102/202						
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)..... add							+ \$280/\$140 =	+ \$0	104/204					
5. Original due Date: December 3, 2002		<input type="checkbox"/> NONE												
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =	(2 mos)	\$400/\$200 =	(3 mos)	\$920/\$460 =	(4 mos)	\$1,440/\$720 =	(5 mos)	\$1,960/\$980 =	+ \$200		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract							- \$0							
8.							Extension Fee	+ \$200						
9. If Terminal Disclaimer attached, add Rule 20(d) official fee							+ \$110/\$55	+ \$0	148/248					
10. If IDS attached requires Official Fee under Rule 97 (c),							+ \$180	+ \$0	126					
or if Rule 97(d) Request							+ \$180		126					
11. After-Final Request Fee per rules 129(a) and 17(r)							+ \$740/370	+ \$0	146/246					
12. No. of additional inventions for examination per Rule 129(b).....							x \$740/370 ea	+ \$0	149/249					
13. Request for Continued Examination (RCE)							+ \$740/370	+ \$0	1179/1279					
14. Petition fee for								+ \$0						
15.							TOTAL FEE =	\$200						
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".														
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.														
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.														
							PLEASE CHARGE OUR DEP. ACCT							

12/30/2002 JBALINM 00000038 033975 09223634

01 FC:2252 200.00 CH

Our Deposit Account No. 03-3975)

(Our Order No. 037003 0275823

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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Robin L. Teskin

Sig:

Reg. No. 35,030

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Atty/Sec: RLT/af

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



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1/9/03
A.E.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JAN 02 2003

TECH CENTER 1600/2900

In re PATENT APPLICATION OF

Randolph J. NOELLE

Group Art Unit: 1644

Application No. 09/223,634

Examiner: P. GAMBEL

Filed: December 31, 1998

Title: TREATMENT OF T CELL MEDIATED AUTOIMMUNE DISORDERS

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REPLY AND AMENDMENT

PURSUANT TO 37 C.F.R. §1.111

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the non-final Office Action mailed on September 3, 2002, please amend the above-identified application as follows:

OK TO
EXAMINE
3/7/03

IN THE CLAIMS

Kindly cancel claims 13-17.

Please amend claim 22 as follows:

§ 22. (Amended) A method for treating thyroiditis comprising administering a therapeutically effective amount of a gp39 antagonist selected from the group consisting of an anti-gp39 antibody or fragment thereof that binds gp39, soluble CD40 and a CD40 fusion protein.

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REMARKS

Entry of the foregoing amendments, reconsideration and re-examination of the subject application, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the remarks which follow are respectfully requested. By the present amendments, claims 13-17 have been cancelled without prejudice to their being refiled in a continuing or divisional application. Essentially, Applicants maintain that the prior art fails to teach or suggest the administration of a gp39 antagonist to intervene in cellular-mediated immune responses, and more specifically T cell responses that are involved in tissue destruction and other T cell

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